Preserved

App. F. IX-4

192 J. (Law)

File No. 40-27

Serial Nos. 1-4

Previous References
L.R. 104-27 (6)
LR " (1-4
LR Dep 388-27

Later References
104-28 (1-2).

General and Revenue Secretariat.

Serial Nos. 1-4

Part B for April 1928

SUBJECT

States that his client purchased Survey No 32 measuring 15 guntas and that his petition for possession has not been given and a suit will be filed for possession. The client is Dodde Ganga gowda of Settahalli village Tumkur district.

79 p 5-4 11 of 19/2/28

L. K. N. Sreenivasan
Advocate.
Bangalore City.

Stated under the present Revenue law possession can't be given in purchases of rights, title and interest in revenue sales and therefore the client has no claim (cause of a claim against the government

H. S. Gallappa

4354 2

App. F. III—2]

General and Revenue Secretariat. | File No. | of 192

Serial No.

To the Rev Comm
No P4629 D/4.2.28
Re calls for a report
From
the Rev Comm
No. 8808/12th March 1928
with reference to the above forwards copy
of letter no 868 dt 24.2.28 from the S.D. Tumkur
The S.D. Reports that - the right, title
& interest of mr. Seetharal Hanumanthiah in the
land referred to in the notice were told by the
A.D.O. Tumkur on 22-12-25 & possession of
the same was delivered on 17.8.26 by the Sheikdar
& Dodda Gangegowda who has acknowledged
the delivery in his own hand.
Bills for orders.
B/9/3. In para 3 of the Advocate's notice
he states that the Rev authorities have
failed to put his client in possession of the
property & that on a person sent by Gopal on
1.10.26, they gave an endorsement declining to
interfere in the matter.
The Dy Com's report accompanying the
R.C's letter shows that possession was delivered
on 17.8.1926 i.e. even before the date of the
petn Gopal.
Orders if a reply to the Advocate in
terms of the R.C's letter may be sent

NOTE—Contn. sheet.

Asst
Secy)

2/2
9/3
Reply may be given
8/3/28.

WD 0324 -GPB-60,000-24-5-27

Secy

4554 3

App. F. III—2]

General and Revenue Secretariat.	File No.	of 192 .

Serial No.

draft Subic
Secd
16/8/28
Pr 16/9

Seen)

2nd 16/9

appd
8/9
16/9

~~State that his client~~ 16/9

4 To Mr K.V. Srinivasan

No P 5211 dt 19.3.28

State that his client has no Cause of action against Govt

NOTE—Contn. sheet

D 0324—GPB—60,000—24-5-27

కుంకూరు తాల్లూకు కోర్టాలదనంముత్త

శీరకల్లి నల్లూరువ శేందిడను ముంక్కయ్యునవరింద నర్జారక్కెబి

రబీకాగిద్ద యుక్కెజిబూకిగాగి నదరిడనుముంక్కయ్యునవరన్ని

రక్షత్తగళన్ను నర్జారదవరు బహిరంగవాగిడరాజు మాడిశి డరాజు

వుంబూరాద్దరమేలి ఆజ్ఞేర్కనపాల్దారు శీరకల్ పాటేల్ దొడ్డగం

నేగౌడరిగి రికార్డినల్లులగత్తిరువ నేల్నక్షివి కేటప్రకారనేల్న

క్షివికేటినల్లున మూడిరువ లూకేల్లనిన మూడినిరువ నిధరన్నత్తగ

ళన్ను నువదర్ను మూడి రిభ్రోటుకెమూడబేకేందు తల్లిరువ కుంకూ

రు నచ్చడివిజిల్నాడేబరవర ఫి.యల్.నం. 435 తారీఖు 29-

7-26నే ముర్కుం తాల్లూకుల్ర ముల్నాల్రువర బ.శి.నం 153/2 కా.1-8-26

నే ముర్కుంళుర్కుం ప్రకార ఈకేల్లనిరుఖు మూడిరువ పెంబాయింతరన

మష్టమన్నత్తనుశదర్ను మూడిరుత్తే.

న్నిన్నరవశీల్-

కుంకూరు తాల్లూకు శీరకల్ గ్రామదల్లి డ్రగు ముంక్కయ్య

చిక్ సంబిరయ్య యంబువర జిసరిఖాత్తే ఖుష్కి 2-37 సుంటి ఆకార

3-4 ా మూరు రూకాలు గాల్లా దొబ్బాయ్ 2-10 సుంటి ఆకారళు

రూకాలు నాల్నూవి ఖుంష్కా. 5-7 సుంటి ఆకార వంబ్రత్తరూకాలు

ఎంటూరాలుళ్ళ న్నల్లి 32 నేనంబరు ఖ యిల్లిగి ఇళ్ళబండి. పూర్వ

ఆష్టాఖి లురభీవద్దయ్య నఖాశీఖ యిల్లిను. పశ్చిమ ఆష్టాబయ్యతంచే

దరనప్పయంబువర ఖాత్తేబి యిల్లిలుత్తరక్కే 31 కీరం బరుఖుష్కి దక్షి

ణాభుల్లుంబ్ని ఖరాంబలూ వుద్యోగలురువ ఫ్రూరాన్నత్తే కుత్తుయిదర్లి

రత్తవూత్తాదేనువదర్ను మూడిరుత్తే.

(Sd) H. B. Nanjundiah.
Shenkeloan.
17-8-1926

3469 5 D 414

K. SRINIVASAN, M.A., LL.B.,
AND
R. SHESHADRI, B.A., LL.B.,
ADVOCATES,

2 K BALEPET.

Bangalore City, 26, Jany. 1928.

Law 40-27-1

To

The Chief Secretary to
the Government of His Highness
The Maharaja of Mysore,
BANGALORE.

Sir,

Under instructions from my client, Patel Dodda Gange Gowda, son of Bala Gange Gowda of Seethakal Village, Tumkur Taluk, I beg to state as follows:-

1. That, in a Revenue Sale held on 22-12-1925, by the Sub-Division Officer of Tumkur Sub-Division, for Excise arrears due from the Excise defaulter, Hanumanthiah, - son of Sanjeeviah of Seethakal Village, - Kolala Hobli, Tumkur Taluk, my client purchased a dry and garden land, Re-Survey Number 32 of Seethakal Village, 5 acres and 15 guntas in extent, and assessed at - Rs.9-8-0, and belonging to the said Hanumanthiah.

2. That the entire sale amount of Rs.

K. N. SRINIVASAN, M.A., LL.B.,
AND
R. SHESHADRI, B.A., LL.B.,
ADVOCATES,

BALEPET,
Bangalore City.....192 :

Rs.1,700-0-0 has been duly deposited by my client, and that the sale was confirmed in the usual course by the Deputy Commissioner of Tumkur, and the Sale Certificate was also granted to my client.

3. That, in spite of repeated requests, the Revenue Authorities have failed to put my client in possession of the property sold to him. And his various petitions to the Amildar, the Sub-Division Officer, the Deputy Commissioner and the Excise Commissioner, having proved fruitless, my client approached the Government, with a petition dated 1-10-1926 setting out all the circumstances, and praying that he might be put in possession of the land sold to him by the Government. But the Government, in their Endorsement No.Fl.5581/Ex.1-26-77 dated 19-1-27, have declined to interfere in the matter.

put up with F. A. 95 transferred to Rev. Branch 21/1/27

4. That

K. N. SRINIVASAN, M. A., LL. B.,
AND
R. SHESHADRI, B. A, LL. B.,
ADVOCATES,

BALEPET.

Bangalore City.....192 .

4. That the land sold to my client is partly dry and partly wet, and partly a - garden land, containing more than a Thousand Arecanut Trees, 400 Plantain and 50 Cocoanut trees, and 50 other fruit-bearing trees, - such as Mango, Tamarind, Jack and Ippe. The average yield out of the garden, dry and wet lands per year will be not less than Rs.650/- and my client is sustaining loss of mesne - profits at this rate, since the date of his purchase. Besides, the defaulter and his - men have been creating havoc to the garden and have been destroying the same. This - will entail considerable loss to my client.

5. That, in the ordinary course, soon after the sale is confirmed, the Vend- or is under the legal liability to put the Vendee in possession of the land sold to - him. That, under the terms of the sale - held by the Sub-Division Officer, the Go-

32/5 vernment

K. N. SRINIVASAN, M. A., LL. B.,
AND
R. SHESHADRI, B. A., LL. B.,
ADVOCATES,

BALEPET,

Bangalore City.....192 .

Government is liable to put my client in possession of the land sold to him within a reasonable time. It is submitted that the Government cannot evade liability as they have done so far, and drive my client to the Civil Court to pursue an uncertain litigation. If, for any reason, the Government are unwilling to put my client in possession of the land sold to him, the Government are liable to refund the purchase money to my client with interest from date of sale.

6. My client has, therefore, instructed me to issue this Notice to the Government, which I do hereby, under Section 80 of the Civil Procedure Code, and inform the Government that, soon after the expiry of two months from the date of the receipt of this Notice by the Government, and that, if within

K. N. SRINIVASAN, M. A., LL. B.,
AND
R. SHESHADRI, B. A., LL. B.
ADVOCATES,

BALEPET,

Bangalore City.....192 .

within the said period the Government are not pleased either to put my client in possession of the property sold to him, and pay him the loss of mesne profits sustained by him of the value of Rs.1,300/-, or refund the purchase money of Rs.1,700/- to my client with interest thereon by way of damages at Rs.2-0-0 per cent per mensem from date of sale till date of payment, my client will be obliged to institute a suit against the Government in a Court of competent Jurisdiction, for either of the reliefs referred to above, and hold the Government liable for all costs that he may have to sustain thereby.

I beg to remain, Sir,
Your obedient servant,

K N Srinivasan.
26.1.28.

ADVOCATE.

APP. F. VI.

SUBJECT.....

.....

.....

Section Law

File No. 40-27

Serial No. 2

No. 4629 (1)

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the 192

To

Mr. Rev. Coimr. in Nuwara

Date of issue 14/2/28

Signed by Mr. N.J

Sir,

I have the honour to forward herewith in original petition dd 26-1-28 on behalf of Dodde Sanga Gowda of Seethakal Village, Tumkur T.K., stating that Re. Survey no 82 was sold to him but possession was not given in spite of repeated requests and that a Suit will be filed for possession and loss of the profits & costs and he request that a report may kindly be sent on the facts of the case ~~early~~ within a fortnight Over I have th

To be kindly returned with reply

List of enclosures.....

Copied by Cler 14/2

Examined by.....

WD 01265—GPB—31,000— 24-12-25

Ans 9/2

Mr Secy to Govt Land Dept

// 8435 4 927

OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE,

No. D1.Dis.880/27-28.
/Copy to subject

Dated Bangalore 1st March *192* 8.

FROM

P. G. D'SOUZA, ESQ., B.A., B.L.,
REVENUE COMMISSIONER IN MYSORE.

To

The Chief Secretary to the Government
of His Highness the Maharaja of Mysore,
Law Department, *Bangalore.*

Subject:- Notice issued on Government by Mr. K. N. Srinivasan on behalf of Dodda Gangegowda regarding possession of lands sold to him etc.

SIR,

8-1 3/3/28 2 Laws 1 5

With reference to your letter No. P.4629(1) Law dated 14th February 1928 forwarding a notice dated 26th January 1928 on behalf of Dodda Gangegowda of Seethakal Village, Tumkur Taluk, stating that resurvey No. 32 was sold to him but possession has not been given in spite of repeated requests ~~of~~ and calling for a report in the matter, I have the honour to forward herewith copy of letter No. 868 dated 24-2-1928 from the Deputy Commissioner, Tumkur District, wherein it is reported that the right, title and interest of Mr. Seethakal Hanumanthiah in the land referred to in the notice were sold by the Sub Division Officer, Tumkur, on 22-12-1925 and possession of the same was delivered on 17-8-1926 by the Sheikdar to Dodda Gangegowda who has acknowledged the delivery in his own hand.

A copy of acknowledgment received with the Deputy Commissioner's letter and also the notice received with your letter under reference accompany.

I have the honour to be,
Sir,
Your most obedient servant,

Revenue Commissioner.

Letter No. 868 dated 24-2-1928 from the Deputy Commissioner, Tumkur District, to the Revenue Commissioner in Mysore, Bangalore.

With reference to your No. C.3562/27 dated 18th February 1928 forwarding for report, the notice dated 26-1-1928 served on Government by Mr. K. N. Srinivasan, Advocate, for Dodda Gangegowda of Seethakal, Tumkur Taluk, I have the honour to state that the right title and interest of Mr. Seethakal Hanumanthiah in the land referred to in the notice were sold by the Sub Division Officer, Tumkur, on 22-12-1925 and possession of the same was delivered on 17-8-1926 by the sheikdar to Dodda Gange Gowda, who has acknowledged the delivery in his own hand.

A copy of acknowledgement and the notice in question accompany.

%Copy"

For Revenue Commissioner.

K.V.

A. P. F. VI. G1]

SUBJECT.....

.....

.....

Section Law

File No. 40-27

Serial No. 4

Diary No. of letter replied to.....

No. 5411

General and Revenue Secretariat

( )

the 192

To Mr. K. N. Srinivasan

Advocate,

Balapet-

Bangalore city

Date of issue 19/3/28

Signed by

Sir,

With reference to your petition dated 26 January 28 in the matter of the Sale of Resurvey No. 32 of Seethakal Village stating that the Revenue authorities have failed to give possession of the property disputed of repeated requests to your client Patel Dodde Gauja Gowda then Bale Gauja Gowda of Seethakal Village, I am directed to state that it is reported that possession of the same was delivered on 17-8-26, as stated by the Revenue authorities that the right, title & interest of Hanumanthaiah in the land referred to were sold by the S.D.O Tumkur on 22-12-25 and

List of enclosures.....

Copied by

Examined by

WD0325—GPB—30,000—26-5-27

~~He declaration filed in Court~~, by
the Marshal to Garnishee who
has answered the declaration
in the said suit ~~to~~, and that your claim to
attached is therefore ~~suspended~~
~~until further~~ to come on for
Assizes Court. ~~Oct~~ No.
Copy letter sent to Sr.
Secretariat Headquarters in
the said declaration was
served by the Sub-Sheriff on
29-12-1925.

Yours &c.

Sd
Registrar
Law Dept

Mbale